

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MARIO A. VALENZUELA,

Plaintiff,

v.

SANTIESTEBAN, *et al.*,

Defendants.

Case No. 1:20-cv-01093-JLT-BAM (PC)

ORDER EXTENDING APPLICATION OF
AUGUST 8, 2024 DISCOVERY AND
SCHEDULING ORDER TO DEFENDANT
GAMBOA AND EXTENDING DISCOVERY
AND DISPOSITIVE MOTION DEADLINES
(ECF No. 42)

Exhaustion Motion Filing Deadline: **December
1, 2025**

Discovery Deadline: **March 31, 2026**

Dispositive Motion Deadline: **June 9, 2026**

Plaintiff Mario A. Valenzuela ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's first amended complaint against: (1) Defendants Santiesteban, Rodriguez, and Gamboa for excessive force in violation of the Eighth Amendment for the incident on June 22, 2019; and (2) Defendant Perez for failure to protect against the alleged excessive force for the incident on June 22, 2019, in violation of the Eighth Amendment.

On March 3, 2025 the Court issued an amended discovery and scheduling order in this action. (ECF No. 74.) Based on the recent amendment of the complaint and appearance of Defendant Gamboa in this action, the Court finds it appropriate to extend application of the March 3, 2025 discovery and scheduling order to Defendant Gamboa. In addition, the Court will

1 extend the applicable discovery and dispositive motion deadlines.¹ All other requirements set
2 forth in the Court's March 3, 2025 discovery and scheduling order remain in place.

3 Accordingly, it is HEREBY ORDERED that:

- 4 1. Application of the March 3, 2025 discovery and scheduling order, (ECF No. 74), is
5 EXTENDED to Defendant Gamboa.
- 6 2. The deadline for filing motions for summary judgment under Federal Rule of Civil
7 Procedure 56 for failure to exhaust administrative remedies is extended from July 1,
8 2025, to **December 1, 2025**;
- 9 3. The deadline for completion of all discovery, including filing all motions to compel
10 discovery, is extended from October 29, 2025, to **March 31, 2026**;
- 11 4. The deadline for filing all dispositive motions (other than a motion for summary
12 judgment for failure to exhaust) is extended from January 7, 2026, to **June 9, 2026**;
- 13 5. **A request for an extension of a deadline set in this order must be filed on or**
14 **before the expiration of the deadline in question and will only be granted on a**
15 **showing of good cause.**

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17 IT IS SO ORDERED.

18 Dated: October 2, 2025

19 /s/ Barbara A. McAuliffe
20 UNITED STATES MAGISTRATE JUDGE
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28 ¹ The instant order does not further extend the amended pleading deadline.